FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7670 OF 2004

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr. P.K. Dhakephalkar with Mr.Niranjan P. Shimpi for petitioners.

CORAM: B.H. MARLAPALLE,J.

23/3/2007.

P.C.:

. Mr. Dhakephalkar the learned Senior Counsel with Mr. Shimpi for the petitioners submitted that the main challenge in this petition is to the dismissal of Regular Civil Suit No. 28 of 1982 by the learned 3rd Joint Civil Judge, Junior Division at Satara and confirmed by the learned District Judge in Regular Civil Appeal No.102 of 1998 by his judgment and order dated 13/2/2004.

. The petitioners have an alternate statutory remedy of filing a Civil Revision Application under Section 115 of C.P.C. against the impugned orders dismissing the suit for seeking possession of the tenanted premises and when such an alternative remedy is available, a writ petition need not be entertained as has been held by this court in Writ Petition No.4138 of 2006.

. Hence, the petition is disposed as withdrawn with liberty to file a Civil Revision Application and if such an application is filed within a period of three weeks from today, the period of pendency of this petition shall be taken into consideration for condonation of delay, if any.

(B.H. Marlapalle,J.)